

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

UNITED STATES OF AMERICA,

**Plaintiff,**

**v.**

**Case No. CR 97-30058-5-AA**

DEREK BRIAN BOLTON,

**Defendant.**

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**ORDER CONTINUING SUPERVISED RELEASE WITH  
MODIFICATION OF THE TERMS AND CONDITIONS OF  
SUPERVISED RELEASE**

On November 9, 1998, the defendant appeared before this court, for sentencing following his plea of guilty to Distribution of Methamphetamine. He was sentenced to one hundred twenty one (121) months custody followed by a five (5) year term of supervised release, upon the standard and special conditions. The term of supervised release commenced on December 4, 2006.

On June 8, 2007, this court revoked the defendant's supervised release and committed him to the custody of the Bureau of Prisons for a period of six (6) months to be followed by a four (4) year of supervised release under standard & special conditions.

On September 9, 2008, this court revoked the defendant's supervised release and committed him to the custody of the Bureau of Prisons for a period of time served. The court further reimposed

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a 36-month term of supervised release under the previously imposed conditions and terms and new modifications.

On January 23, 2009, a third petition for warrant and order to show cause why the term of supervised release previously granted should not be revoked was ordered by the court based on the probation officer's allegation that defendant violated the conditions of release. That petition was amended on April 8, 2009, adding a new allegation.

On July 24, 2009, the defendant appeared with counsel at a hearing to determine whether defendant's supervised release should not be revoked. The defendant admitted he had violated Standard Condition #2 of supervised release by committing a new law violation. The government moved to dismissed the remaining allegations which the court allowed.

THE COURT FINDS that the defendant has violated conditions of his supervised release as set forth above, said violation constitutes a Grade B violation pursuant to Guideline § 7B1.1(a)(2). A Grade B violation coupled with the defendant's Criminal History Category of I, produces a suggested imprisonment range of 6 to 12 months (§ 7B1.4 Revocation Table).

IT APPEARS TO THE COURT that the defendant is amenable to supervision.


IT IS ORDERED AND ADJUDGED that the term of supervised release is continued and extended to forty-two (42) months on the previously imposed conditions plus the following new conditions:

1. The defendant shall participate in and complete a residential drug treatment program. The defendant shall remain in custody until a bed becomes available.
2. The defendant shall sit in on Reentry Court at the direction of his probation officer.

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All other conditions and terms of supervised release previously imposed shall remain in full force and effect.

Dated this 27 day of July, 2009.

  
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ANN AIKEN  
United States District Judge

cc: Probation Office  
Counsel of Record